

App. No. 10/089,402  
Reply to Office action of Nov. 2, 2004

### REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. The Specification and claims 3 and 5 are hereby amended. Claims 7-13 are new.

Applicants appreciate the courtesy extended by the Examiners Peter Agustin and Brian Miller to Applicants' representatives during a personal interview on March 16, 2005 at the United States Patent and Trademark Office. During the interview, the Applicants representatives set forth arguments clearly distinguishing the present invention, as particularly recited in each of independent claims 5 and 7-9 over the prior art references relied upon by the Examiner. The Examiner agreed to further consider the application upon receiving this formal Response.

Claim 3 is amended editorially. New claim 7 is supported by subject matter of claim 5 and Figure 9. New claim 8 is supported by subject matter of claim 1, Figures 6A and 7, and page 8, lines 15-26. New claim 9 is supported by subject matter of claim 1, Figures 6B and 7, and page 8, lines 27-36. New claim 10 is added at the suggestion of the Examiner during the interview and is supported, for example, by Figure 9. New claim 11, reciting "a controller for receiving and transmitting the information to be recorded or reproduced, wherein inputs to the controller include outputs from the first and second address demodulating circuits", is supported by page 7, lines 11-12 and Fig 9. New claims 12 and 13 are supported by subjection matter of claim 2.

The drawings were objected to for various informalities. Figures 6A, 6B, and 10 are amended to reflect the suggestions of the Examiner. Favorable reconsideration of the drawings is requested.

The Specification was objected to for various informalities and is amended to reflect the suggestions of the Examiner. Favorable reconsideration of the Specification is requested.

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The title is objected to for lack of descriptiveness. The title is amended to address the concerns of the Examiner. Favorable reconsideration of the title is requested.

Applicants respectfully submit that the PCT/JP00/06292 claims, as amended on August 9, 20001 were not examined, but rather only the originally filed PCT claims. The Combined Declaration and Power of Attorney, filed on March 29, 2002, refers to the amended claims, and a translation of the amendment was provided. Applicants request reconsideration of this application in view of the correct set of claims, which has been reflected in the claim listing.

Claims 1-6 were objected to for various informalities. Most of the objections are moot due to the incorrect set of claims being examined. The remaining objections are addressed by amending the claims to reflect the suggestions of the Examiner. Favorable reconsideration of claims 1-6 is requested.

Claims 1 and 3 were rejected as being anticipated by Yanagihara (JP 11-203710). Applicants traverse this rejection. Claims 1 and 3 require "a pit width W of the pits satisfies the relationship:  $T_p \times 0.37 \leq W \leq T_p \times 0.63$ ". Yanagihara does not suggest this relationship. Favorable reconsideration of claim 1 and 3 is requested.

Claims 2 and 4 were rejected as being unpatentable over Yanagihara in view of Lee (US 5,784,354). Applicants traverse this rejection. Lee does not remedy the deficiencies of Yanagihara, as previously noted. Applicants are not conceding the correctness of the rejection as applied to the rejected claims. Favorable reconsideration of claims 2 and 4 is requested.

Claims 5 and 6 were rejected as being unpatentable over Tsukamoto (US 6,320,830) in view of Yanagihara. Applicants traverse this rejection. Claim 5 requires a first address demodulating circuit and a second address demodulating circuit for demodulating address information using the sum signal output from the summing amplifier and the difference signal output from the differential amplifier. Tsukamoto teaches either a first or a second address demodulating circuit, being selectable by a

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switch (36). In contrast, the invention of claim 5 provides address information to be demodulated in and output from both of the address demodulating circuits, thus increasing the accuracy of address detection (see page 11, lines 25-27). Favorable reconsideration of claims 5 and 6 is requested.

New claim 7 is drafted so as to include all the features of independent claim 5 as well as the requirement that "the address information demodulated by said second address demodulating circuit is the same as the address information demodulated by said first address demodulating circuit". Tsukamoto does not teach or suggest that address information (output of element 15) demodulated by the second address demodulating circuit is the same as address information (output of element 14) demodulated by the first address demodulating circuit (see Figure 1).

New claim 8 requires a sum signal which satisfies a specific formula. New claim 9 requires a difference signal which satisfies a specific formula. None of the prior art references cited by the Examiner, taken either alone or in combination, teaches or suggests the features of claims 8 and 9.

New claims 10 and 11 should be considered allowable for at least the same reasons as claim 5, from which they depend. Claims 10 and 11 are clearly distinguished from Tsukamoto, as the prior art reference does not suggest that the first and second address demodulating circuits are simultaneously operable nor that inputs to a controller include outputs from both the first and second address demodulating circuits, as required by claims 10 and 11. The input of the controller (waveform shaping means 37) disclosed by Tsukamoto clearly is unable to connect to both the output of first address demodulating circuit (output of element 16) and the output of the second address demodulating circuit (output of element 35).

New claims 12 and 13 should be considered allowable for at least the same reasons as claims 8 and 9, from which they depend.

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In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612)455-3804.

Respectfully Submitted,

  
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